

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CINDY PRESS, as Special Administrator of the) Estate of Ying Deng,)) Cross-Claimant,)) v.)) JASON CAI,)) Cross-Defendant) _____)	Case No.: 09-CV-00396-LHK ORDER REGARDING EX PARTE COMMUNICATIONS
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On September 16, 2014, Jun Chan sent the attached emails to Courtroom Deputy Stacy Sakamoto requesting that the Court advise as to whether and how Jason Cai would be physically present for his September 22, 2014 trial. These are ex parte communications with the Court that are prohibited by Civil Local Rule 11-4(c) and will be disregarded as such.

The only email communications that the parties are allowed to have with the Courtroom Deputy are non-substantive scheduling communications and must include opposing counsel. All substantive issues must be discussed in filings.

Counsel for Mr. Cai never requested that the Court order that Mr. Cai attend his trial in person, and the Court has never made such a ruling. In order for Mr. Cai to appear at his trial, he must make his own arrangements and pay for his own expenses.

IT IS SO ORDERED.

Dated: September 16, 2014



LUCY H. KOH
United States District Judge

From: Jun Chan <jun.chan78@gmail.com>
To: LHKCRD@cand.uscourts.gov
Cc: julie pulliam <juliekali@yahoo.com>

Date: Tuesday, September 16, 2014 05:20PM
Subject: Re: Case:09-CV-00396-LHK

Hi Stacy:

I'm Julie assistance for this case. I sent you that email, because she had no internet access where she was at.

You may discuss this with Ms. Pulliam.

office number: Phone: (831) 600-7280

On Tue, Sep 16, 2014 at 4:29 PM, <LHKCRD@cand.uscourts.gov> wrote:

> Mr. Chan:

>

> The Court has not ordered that Mr. Cai be transferred; if someone is

> representing that to you then they are incorrect.

>

> Is there a number I can reach you at to discuss this? Also, can I please

> have your complete name and title prior to calling you?

>

> Thank you.

>

> Regards,

> Stacy Sakamoto, Courtroom Deputy Clerk for the Honorable Lucy H. Koh

>

> -----Jun Chan <jun.chan78@gmail.com> wrote: -----

> To: lhkcrd@cand.uscourts.gov

> From: Jun Chan <jun.chan78@gmail.com>

> Date: 09/16/2014 03:50PM

> Cc: julie pulliam <juliekali@yahoo.com>

> Subject: Case:09-CV-00396-LHK

>

>

> Per Ms. Julie Pulliam

>

>

> Stacy:

>
> Kieth Norton, who is the the legal coordinator at Suzanville
Prison,
> advise us to submit a Order for Removal/ Transportation for the
> defendant.
>
> According to Santa Clara Sheriff deputy Hogue (408-586-5630) in the
> transpotation department, he advised us that a court Order for
> Removal/ Transportation for a civil case can be submitted and the
cost
> would be \$2500-\$3500. In his 15 years with the deapartment, CDC
will
> not achknowlege the order and the def stay where he's at.
>
>
> We're not sure as to what or how we can get Mr. Jason Cai here for
trial.
>
> Please advise. Will the court make an Order for this? If so, whom
> will bear the cost for transportation?